

# **Pupukea MLCD Task Force Meeting**

**May 3, 2000**

6:30-10:30 p.m.

Waimea Falls Park, Oahu

- I. Welcome:
- II. Interim Group Reports
- III. Commercial Dive Operators Group Presentation
- IV. Division of Boating and Ocean Recreation
- V. Commercial Fishing Group Presentation
- VI. Time Frame For Next Steps

- I. The meeting began at 6:40 p.m. with nine delegates/alternates present with the boating group representative not present.

## **II. Interim Group Reports** were provided:

- Carl (Commercial Divers) distributed a report prepared by the commercial dive operators.
- Marlu (Community) advised the group that the community was requesting a composite list of the Task Force's recommendations for a North Shore News deadline the following day.
- A videographer from Olelo TV made available for viewing video tapes of earlier Task Force meetings for the Task Force to help clarify an earlier vote by the Task Force on recreational fishing in the 3 Tables area. The videographer summarized the subject matter of the tapes at Marlu's request.
- After discussion the task force members voted unanimously not to view the video. (9/0) The Task Force had already voted at the previous meeting to hear the presentation by the recreational fishing representative so a review of the tapes would have been unnecessary.
- Marlu asked the Task Force to listen to a 2-minute presentation of observations by a visitor. The Task Force voted to hear a brief presentation by Antoine Lum. (8 for/1 opposed).
- Antoine, a volunteer with Save the Sea Turtles had observed turtles entangled in fishing line. He also saw fish hooks on them.
- He suggested that Shark's Cove be made into a sanctuary to protect the turtles and favors a cessation of fishing to prevent depletion of fish in the area. Lum is a student studying sports medicine who is also working with the Sea Shepherd Conservation Society.
- Bob (Neighborhood Board) mentioned that he observed divers in Shark's Cove with tritons shells who were gathering aquarium fish. They claimed that their aquarium license entitled them to take as many fish as they wanted within the Pupukea Marine Life Conservation District.
- A DLNR enforcement officer Frank Tomas indicated that enforcement actions would depend on where the fish were caught.
- Bob suggested examining more closely the aquarium permit prerogatives.

- Marlu reiterated the need to consider ways of improving enforcement, such as utilizing deputies.
- **A motion to ban transiting Shark's Cove, Three Tables and Waimea with any gear or marine life (per language applicable to Waikiki) was approved. (8 approved/1 abstention).**
- Wayne (Hawaiian Community) reiterated his hope that the group could transcend special interests to consider matters in ways that would support improvement of the area and preserve the lifestyle of the community. He expressed disappointment that pole fishing was opposed at Shark's Cove and Three Tables. He expressed concerns about the impact of this on long time practitioners.
- David (recreational fishing) displayed a petition with 800 signatures of individuals supportive of pole fishing and limu picking in the Pupukea area. David indicated that the petition was circulated before the Task Force began its deliberations and the formulation of recommendations.

II. **Commercial Dive Operators Group Presentation:** (see attachments: Dive Leaders Survey, Commercial Diving Report, Recommended HIRSA Guidelines for Commercial Dive Operations at Shark's Cove)

- A copy of the HIRSA (Hawaiian Islands Recreational Scuba Association) survey was distributed prior to a presentation by Jim Bryem, president of HIRSA. Carl described the evolution of efforts over time regarding their constituents, vendors, operators and others.
- Since the survey was distributed on 4/25, 130 responses had been returned. Because they were still receiving responses, the information shared at this meeting would, by definition, be only partially reflective of the findings. Carl would provide a more complete summary of the survey results later.
- Jim reviewed the survey questions and the cumulative responses to date.
- The following concerns were expressed:
- A resident expressed concern regarding the use of the east side of Shark's Cove, near the residences. The observer also noted 300 divers entering the water on a particular date between certain hours. He indicated that he had video footage of this.
- A Task Force member cautioned that entry and exiting the water by divers near the limu collection areas could affect the limu.
- Can the state's "best management practices" be incorporated into the proposed guidelines?
- What is the time line for setting pins as proposed in the HIRSA scenario?
- Could aesthetics concerns be addressed? (per Waianae: rings submerged so visible, but not obstructive).

#### IV. **Division of Boating and Ocean Recreation**

Since the Division had made a presentation at the previous meeting, Carol Shé clarified the questions requiring a response for the Task Force at this meeting:

**“Does commercial diving activity need to be controlled in this area?”**

Task force members voted unanimously in the affirmative. (9 yes)

**A motion: The Task Force supports in principle HIRSA’s proposal for self-regulation and that it take effect this season.** Task Force members voted 7 yes and 2 abstentions on this matter.

**“What is the maximum number of commercial divers that should be in the water?”**

Per the Task Force affirmative vote to support the HIRSA proposal for self-regulation.... 55 divers would be the maximum number of commercial divers in the water. (This information contained in the HIRSA proposal)

Carl agreed with Carol that they would work together to finalize the HIRSA proposal.

Shé also added that Tim Johns (DLNR Chair) wants to resolve these issues within the next six months. Boating needs to promulgate rules re: boating. The Aquatic Resources division will pursue a separate, but more or less parallel track for developing draft rules for aspects of the Task Force recommendations that fall within its jurisdiction.

#### V. **Commercial Fishing Group Presentation**

Lester offered a number of recommendations:

- Ban purse nets
- Allow gill nets in Waimea
- Maximum 12’ high nets permitted
- Banning all commercial fishing would adversely affect long time practitioners
- There is no evidence of depletion or halalu or akule
- Gill net affords a fighting chance – it’s not possible to go after halalu during the winter months due to high surf
- Allow Kona crabbing in the a.m. using various shaped nets with rims attached to long ropes. Crabs live in sandy areas. All existing regulations still apply such as size limit, prohibition of taking females with eggs, and closed season.
- Kona crabbing won’t affect those catching fish
- **A motion: To permit commercial and non-commercial Kona crabbing in the bay area** received 4 yes votes, 2 no votes, and 3 abstentions.
- **A motion to allow commercial and non commercial gill netting only for halalu and akule in Waimea** received 1 yes vote and 7 no votes.

## VI. Next Steps

Senator Bunda: Laura Figueira expressed appreciation to the Task Force members for their hard work. She indicated that the group's efforts exceeded the senator's expectations. She will facilitate dissemination of HIRSA information packets to the group per Jim's presentation.

Boating and Ocean Recreation: DLNR Chair Tim Johns has tasked Boating and Ocean Recreation Division with observing the area for the next six months. He will consider feedback and evaluate the collective information. Boating will incorporate recommendations from the Task Force pertinent to its jurisdiction into draft rules and regulations. It will coordinate with Aquatic Resources Division and will participate in a public meeting to offer draft proposed rules for community comment if it is possible to do so.

Aquatic Resources: will consolidate meeting notes and other content into a summary document inclusive of the Task Force's recommendations. Aquatic Resources will also provide notification of a public meeting for discussion of proposed draft rules for general community reaction. It will coordinate with Boating to schedule joint public hearings if possible.